

# HOUSE BILL 362

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CF SB 261

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By: **Delegates Rudolph and James**

Introduced and read first time: January 30, 2012

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Northeast Maryland Higher Education Advisory Board**

3 FOR the purpose of establishing the Northeast Maryland Higher Education Advisory  
4 Board; providing for the composition, appointment, and terms of the Board  
5 members; providing for a chair of the Board and the establishment of certain  
6 committees; prohibiting Board members from receiving certain compensation  
7 but entitling Board members to reimbursement for certain expenses; providing  
8 for the powers and duties of the Board; authorizing the Board to apply, accept,  
9 and expend certain gifts, appropriations, or grants; authorizing the Board to  
10 adopt a corporate seal; requiring the Board to keep certain records and be  
11 subject to certain audits; requiring the Advisory Board to the Higher Education  
12 and Conference Center at HEAT to take a certain action on or before a certain  
13 date; defining certain terms; and generally relating to the establishment of the  
14 Northeast Maryland Higher Education Advisory Board.

15 BY adding to

16 Article – Education

17 Section 24–901 through 24–904 to be under the new subtitle “Subtitle 9.  
18 Northeast Maryland Higher Education Advisory Board”

19 Annotated Code of Maryland

20 (2008 Replacement Volume and 2011 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
22 MARYLAND, That the Laws of Maryland read as follows:

23 **Article – Education**

24 **SUBTITLE 9. NORTHEAST MARYLAND HIGHER EDUCATION ADVISORY BOARD.**

25 **24–901.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (A) IN THIS SUBTITLE THE FOLLOWING TERMS HAVE THE MEANINGS  
2 INDICATED.

3           (B) “BOARD” MEANS THE NORTHEAST MARYLAND HIGHER EDUCATION  
4 ADVISORY BOARD.

5           (C) “CENTER” MEANS THE HIGHER EDUCATION AND CONFERENCE  
6 CENTER AT HEAT.

7           (D) “COMMISSION” MEANS THE MARYLAND HIGHER EDUCATION  
8 COMMISSION.

9           (E) “SITE” MEANS A 4-YEAR INSTITUTION OF HIGHER EDUCATION THAT  
10 OFFERS COMMISSION-APPROVED UNDERGRADUATE AND GRADUATE  
11 PROGRAMS IN CECIL COUNTY AND HARFORD COUNTY AND IS AFFILIATED WITH  
12 THE CENTER.

13   **24-902.**

14           THERE IS A NORTHEAST MARYLAND HIGHER EDUCATION ADVISORY  
15 BOARD.

16   **24-903.**

17           (A) THE BOARD CONSISTS OF THE FOLLOWING VOTING MEMBERS:

18                   (1) ONE REPRESENTATIVE OF EACH OF THE 4-YEAR  
19 INSTITUTIONS OF HIGHER EDUCATION OFFERING A COMMISSION-APPROVED  
20 PROGRAM AT THE CENTER AND AT A SITE, APPOINTED BY THE INSTITUTION;  
21 AND

22                   (2) THE FOLLOWING NINE REPRESENTATIVES, APPOINTED IN  
23 ACCORDANCE WITH THE BYLAWS OF THE BOARD:

24                           (I) THREE REPRESENTATIVES OF REGIONAL BUSINESSES,  
25 INDUSTRIES, OR CORPORATIONS;

26                           (II) ONE REPRESENTATIVE OF THE CECIL COUNTY OFFICE  
27 OF ECONOMIC DEVELOPMENT;

28                           (III) ONE REPRESENTATIVE OF THE HARFORD COUNTY  
29 OFFICE OF ECONOMIC DEVELOPMENT;

1 (IV) ONE REPRESENTATIVE OF CECIL COLLEGE;

2 (V) ONE REPRESENTATIVE OF HARFORD COMMUNITY  
3 COLLEGE; AND

4 (VI) TWO REPRESENTATIVES CHOSEN FROM THE  
5 COMMUNITY AT LARGE.

6 (B) (1) EACH MEMBER SERVES FOR A TERM OF 3 YEARS AND UNTIL A  
7 SUCCESSOR IS APPOINTED AND QUALIFIES.

8 (2) A MEMBER MAY NOT SERVE MORE THAN TWO FULL  
9 CONSECUTIVE TERMS.

10 (3) A MEMBER APPOINTED TO FILL A VACANCY IN AN UNEXPIRED  
11 TERM SERVES ONLY FOR THE REMAINDER OF THAT TERM AND UNTIL A  
12 SUCCESSOR IS APPOINTED AND QUALIFIES.

13 (C) (1) THE CHAIR OF THE BOARD SHALL BE ELECTED BY THE  
14 BOARD FROM AMONG ITS MEMBERS.

15 (2) THE VOTING MEMBERS MAY ELECT OTHER OFFICERS AND  
16 ESTABLISH COMMITTEES, INCLUDING ADVISORY COMMITTEES, AS NEEDED.

17 (D) IN ADDITION TO THE VOTING MEMBERS, THE FOLLOWING  
18 INDIVIDUALS SHALL SERVE AS EX OFFICIO, NONVOTING MEMBERS:

19 (1) THE SENIOR MISSION COMMANDER OF THE ABERDEEN  
20 PROVING GROUND, OR THE COMMANDER'S DESIGNEE;

21 (2) THE GARRISON COMMANDER OF THE ABERDEEN PROVING  
22 GROUND, OR THE COMMANDER'S DESIGNEE; AND

23 (3) THE CENTER COORDINATOR.

24 (E) EACH MEMBER OF THE BOARD:

25 (1) SERVES WITHOUT COMPENSATION; AND

26 (2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES IN  
27 ACCORDANCE WITH THE STANDARD STATE TRAVEL REGULATIONS.

1 **24-904.**

2 (A) IN ADDITION TO THE OTHER POWERS EXPRESSLY GRANTED AND  
3 DUTIES IMPOSED BY THIS TITLE, AND SUBJECT TO THE AUTHORITY OF THE  
4 COMMISSION, THE BOARD HAS ONLY THE POWERS AND DUTIES SET FORTH IN  
5 THIS SECTION.

6 (B) THE BOARD SHALL:

7 (1) ASSIST AND SUPPORT THE DEVELOPMENT OF HIGHER  
8 EDUCATION IN CECIL COUNTY AND HARFORD COUNTY;

9 (2) ASSIST IN SETTING THE MISSIONS OF AND ACCOMPLISHING  
10 THE GOALS AND OBJECTIVES OF THE SITES IN CECIL COUNTY AND HARFORD  
11 COUNTY;

12 (3) ADVISE THE CENTER, SITE COORDINATORS, AND THE  
13 SUPERVISORY STAFF TO WHOM THE COORDINATORS REPORT ON PROGRAMS  
14 OFFERED AND FACILITY UTILIZATION;

15 (4) PROVIDE GUIDANCE AND SUPPORT IN IDENTIFYING  
16 INSTITUTIONS AND PROGRAMS TO SERVE HIGHER EDUCATION AND WORKFORCE  
17 NEEDS IN CECIL COUNTY AND HARFORD COUNTY;

18 (5) ASSIST WITH THE MARKETING AND PROMOTION OF  
19 PROGRAMS OFFERED AT THE CENTER AND SITES;

20 (6) FACILITATE INTERACTIONS AMONG THE BUSINESS,  
21 NONPROFIT, EDUCATION, AND MILITARY COMMUNITIES;

22 (7) KEEP SEPARATE RECORDS AND MINUTES; AND

23 (8) ADOPT REASONABLE RULES, REGULATIONS, OR BYLAWS TO  
24 CARRY OUT THE PROVISIONS OF THIS SUBTITLE.

25 (C) THE BOARD SHALL ENSURE THAT ALL ACADEMIC PROGRAMS AND  
26 POLICIES OF THE CENTER AND SITES ARE IN COMPLIANCE WITH THE POLICIES  
27 OF AND APPROVED BY THE COMMISSION.

28 (D) THE BOARD MAY APPLY, ACCEPT, AND EXPEND ANY GIFT,  
29 APPROPRIATION, OR GRANT FROM THE STATE, COUNTY, OR FEDERAL  
30 GOVERNMENT OR ANY OTHER PERSON.

1           **(E) THE BOARD MAY MAKE AGREEMENTS WITH THE FEDERAL, STATE,**  
2 **OR A COUNTY GOVERNMENT OR ANY OTHER PERSON, IF IT CONSIDERS THE**  
3 **AGREEMENT ADVISABLE FOR THE OPERATION OF THE CENTER.**

4           **(F) THE BOARD MAY ADOPT A CORPORATE SEAL.**

5           **(G) IN ADDITION TO OTHER REPORTS THAT MAY BE REQUIRED BY THE**  
6 **COMMISSION, THE BOARD SHALL:**

7                   **(1) KEEP RECORDS THAT ARE CONSISTENT WITH SOUND**  
8 **BUSINESS PRACTICES AND ACCOUNTING RECORDS USING GENERALLY**  
9 **ACCEPTED ACCOUNTING PRINCIPLES;**

10                   **(2) CAUSE AN AUDIT BY AN INDEPENDENT CERTIFIED PUBLIC**  
11 **ACCOUNTANT TO BE MADE OF THE ACCOUNTS AND TRANSACTIONS OF THE**  
12 **CENTER AT THE CONCLUSION OF EACH FISCAL YEAR; AND**

13                   **(3) FOR ANY STATE MONEY, BE SUBJECT TO AN AUDIT BY THE**  
14 **OFFICE OF LEGISLATIVE AUDITS, IN ACCORDANCE WITH §§ 2-1220 THROUGH**  
15 **2-1227 OF THE STATE GOVERNMENT ARTICLE.**

16           SECTION 2. AND BE IT FURTHER ENACTED, That the Advisory Board to the  
17 Higher Education and Conference Center at HEAT shall appoint the initial members  
18 of the Northeast Maryland Higher Education Advisory Board established under the  
19 provisions of this Act on or before November 1, 2012.

20           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2012.